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11 Special Counsel to Richard A. Marshack, Chapter 11 Trustee

12 **UNITED STATES BANKRUPTCY COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**  
14

15 In re  
16 THE LITIGATION PRACTICE GROUP P.C.,  
17 Debtor.  
18  
19  
20  
21  
22

Case No. 8:23-bk-10571-SC

Chapter 11

**SUPPLEMENT TO MOTION TO  
SURCHARGE PROCEEDS OF SALE  
SUBJECT TO PURPORTED CLAIMS  
OF SECURED CREDITORS TO PAY  
THE SUPER-PRIORITY  
ADMINISTRATIVE LOANS USED TO  
FUND OPERATIONS BEFORE THE  
SALE CLOSED [DKT. NO.1242]**

Hearing Date

Date: June 12, 2024

Time: 1:30 PM

Ctrm: 5C-ViaZoom<sup>1</sup>

Place: 411 West Fourth Street  
Santa Ana, CA 92701

28 <sup>1</sup> Check Judge Clarkson's tentative prior to hearing for further Zoom instructions.

1 **TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY**  
2 **JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED**  
3 **PARTIES:**

4 1. This is a Supplement to the *Trustee’s Motion to Surcharge Proceeds of Sale Subject*  
5 *to Purported Claims of Secured Creditors to Pay the Super-Priority Administrative Loans Used to*  
6 *Fund Operations Before the Sale Closed* (“Motion”) [Dkt. No. 1242] to resolve any issue between  
7 the relief sought in the Motion with the proposed treatment of Class 2 Claims set out in the First  
8 Amended Joint Chapter 11 Plan of Liquidation (Dated June 3, 2024) (“Plan”) [Dkt. No. 1273].

9 2. The Motion requests Court approval to surcharge the proceeds from the sale of the  
10 Debtor’s assets to repay certain post-petition loans prior to maturity. The proposed Plan includes  
11 these post-petition loans in Class 2 – “Classes of Other Priority Claims.” The Motion, if granted, will  
12 satisfy all amounts owed to Liberty Acquisitions Group, Inc. and PanAmerican Consulting, Inc. under  
13 their respective notes. The proposed plan also states that Class 2 includes the sum of \$341,280.00  
14 owed to Resolution Ventures. The state amount owed to Resolution Ventures is comprised not only  
15 of the principal and interest owed on the promissory note identified in the Motion, but also for an  
16 additional advance of \$66,000.00 paid by Resolution at closing plus accrued interest.

17 3. With respect to Resolution, the Motion, if granted, will satisfy a large portion of its  
18 Class 2 Claim. However, Resolution will still have a Class 2 Claim of approximately \$66,000.00  
19 plus accrued interest at eight percent per annum (8.0%) until paid. The Trustee has filed this  
20 Supplement to resolve any contradiction between the information in the Plan and the relief sought in  
21 the Motion.

22 DATED: June 11, 2024

DINSMORE & SHOHL LLP

23  
24 By: /s/ Tyler Powell  
Tyler Powell [pro hac vice]  
25 Christopher Celentino  
Christopher Ghio  
26 Yosina M. Lissebeck  
Special Counsel for Chapter 11 Trustee,  
27 Richard A. Marshack  
28

### PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

DINSMORE & SHOHL LLP  
100 West Main Street, Suite 900  
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A true and correct copy of the foregoing document entitled (*specify*): **SUPPLEMENT TO MOTION TO SURCHARGE PROCEEDS OF SALE SUBJECT TO PURPORTED CLAIMS OF SECURED CREDITORS TO PAY THE SUPER-PRIORITY ADMINISTRATIVE LOANS USED TO FUND OPERATIONS BEFORE THE SALE CLOSED [DKT. NO.1242]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **June 11, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On **June 11, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):**

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **June 11, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**VIA OVERNIGHT DELIVERY:**

**PRESIDING JUDGE'S COPY**

HONORABLE SCOTT C. CLARKSON

UNITED STATES BANKRUPTCY COURT

411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C

SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 11, 2024  
*Date*

Tyler Powell  
*Printed Name*

/s/ Tyler Powell  
*Signature*

---

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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